

**Applicant:** Zhang et al.  
**Application No.:** 10/750,204

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig 1A. This sheet 1/3, which includes Fig. 1A, replaces the original sheet including Fig. 1A. In Fig. 1A in box 30, "LARGEST" has been changed to "LARGER", and in box 46, "AT" has been changed to "ALL".

**REMARKS/ARGUMENTS**

Claims 1-9 are currently pending in this application. Claim 1 has been amended to place this application in form for allowance. No new matter has been introduced into the application by these amendments.

Applicants thank the Examiner for granting a telephonic interview with the Applicants' representative on February 11, 2008. During the telephonic interview the Examiner admitted that since parameters "m and k" were defined in an issued patent, then Applicants had a "good point" in that "m and k" would be known and understood by a person skilled in the art. The Examiner further stated that while the Examiner's action was proper, applicants could respond in writing with their arguments to further clarify their application as to the definition of "m and k" and the other matters discussed in the current office action.

Claims 1-9 are rejected under 35 U.S.C. §112 as failing to comply with the enablement requirement with respect to the limitation in claim 1 of "generating a plurality of slot sequences utilizing at least one selectively weighted value." This limitation has been removed from the body of the claim and is now recited as part of in the preamble as being performed in a conventional manner. Accordingly, the subject matter of amended claim is directed to the remaining elements which are admittedly described and enabled in the specification.

Methods for allocating timeslots where "a plurality of slot sequences are generated in a conventional manner utilizing at least one selectively weighted value," are known in the art, since the definitions of parameters "m" and "k" as used in the specification are specifically defined in previously published applications and issued patents including the US Patents 6,714,523; 6,990,118; 7,023,815; 7,072,312 and 6,791,961. An excerpt from U.S. Patent 6,791,961 is illustrative of this fact:

To assign the physical channels, different sequences of time slots are derived. One approach varies the weights given to interference and fragmentation, such as by varying weights of the figure of merit. Sequences ordering the available time slots are determined based on altering the weights in the figure of merit and arranging the time slots in order of decreasing figure of merit. One scheme is as follows.  $k+m+1$  sequences are derived by altering  $\alpha$  and  $\beta$  such as per Table 3.

TABLE 3

<u>Favor low fragmentation</u>
$\alpha = 1, \beta = 2^k$ (Sequence 1)
$\alpha = 1, \beta = 2^1$ (Sequence 2)
$\alpha = 1, \beta = 2^2$ (Sequence 3)
$\alpha = 1, \beta = 2^8$ (Sequence 4)
<u>Favor low interference</u>
$\alpha = 2^1, \beta = 1$ (Sequence $k+1$ )
$\alpha = 2^2, \beta = 1$ (Sequence $k+2$ )
$\alpha = 2^3, \beta = 1$ (Sequence $k+3$ )
$\alpha = 2^m, \beta = 1$ (Sequence $k+m+1$ )

$k$  is the number of low fragmentation sequences that are tried.  $k$  is typically an empirical value, such as 4, 5 or 6.  $m$  is the number of low interference sequences tried.  $m$  is also typically an empirical value, such as 4, 5 or 6. To reduce computational requirements, redundant determined sequences may be eliminated.

U.S. Patent No. 6,791,961 Column 5, Lines 23-52.

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As amended, claim 1 is directed to subject matter which improves upon prior art methods "where a plurality of slot sequences are generated in a conventional manner utilizing at least one selectively weighted value" and there is no dispute as to the enablement of that claimed subject matter. Accordingly, withdrawal of the pending rejections is respectfully requested.

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present application, including claims 1- 9, is in condition for allowance. Reconsideration, entry of this amendment after final and a notice of

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allowance are respectfully requested.

Respectfully submitted,

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Enclosures (1)